

COMMON QUESTIONS/ANSWERS: CNA EMPLOYMENT VERIFICATION

1. WHY DO WE NEED TO VERIFY CNA AND CMA EMPLOYMENT?

Federal regulation 42 CFR 483.156(c)(2) requires each state to remove from the state nurse aide registry any entry for an individual that has not performed nursing or nursing-related services for a period of 24 consecutive months. The Department of Health and Environment requests employers of CNAs, CMAs and HHAs in Kansas to periodically provide a list of all certified nurse aides, medication aides, and home health aides employed within the last six months. This period of time was selected so as not to place a further burden upon facilities. It is anticipated that data will be generally up to date by 1998.

Effective July 1, 1996, CNAs and CMAs without verified employment by a facility have been determined ineligible for employment under federal regulations. A confirmation notice **cannot** be issued for a CNA with this status, or for a CMA, since CMAs are required to also be CNAs by regulation.

2. HOW CAN A CNA OR CMA STATUS BE CHANGED TO “ELIGIBLE” ON THE REGISTRY?

If the CNA or CMA has performed nursing or nursing-related duties within the past 24 months (but simply was not verified as employed within the past six months), he or she should request from HOC and secure the completion of the “Employment Verification” form. Upon receipt by HOC, the appropriate date will be entered upon the CNA’s or CMA’s record showing eligibility for employment.

If the CNA or CMA has **not** met the federal requirement in the last 24 months, the facility may elect to perform a skills competency check using the HOC “Skills Competency Checklist - for Employment Verification.” A registered nurse must complete the skills checklist by dating and evaluating each task as it is performed.

3. CAN WE USE OUR OWN CHECKLIST?

No. The department skills checklist must be used due to the required notary statement.

4. CAN WE EMPLOY THE AIDE WHILE WE COMPLETE THE CHECKLIST?

Federal regulation 42 CFR 483.75(e)(5) states that **before** an individual may serve as a CNA or CMA, the facility must receive registry verification that the individual has met competency requirements. Again, once the satisfactory evaluation of skills is received by HOC, the appropriate date will be entered upon the record showing eligibility for employment.

5. WHY MUST THE FORMS BE NOTARIZED?

It assures validity of signatures and is a fraud-prevention effort.

6. WHO IS RESPONSIBLE FOR THE CNA WHILE PERFORMING THE SKILLS?

The status of the individual is similar to the status of a trainee except there is no course sponsor other than the facility. If you have questions regarding facility liability, you should consult your legal counsel. This option, the skills checklist, is only offered as a means by which facilities may assist in the evaluation of a prospective CNA’s competency. This could also be accomplished in agreement with a local CNA course sponsor.

7. CAN THE ‘SKILLS’ BE PERFORMED ON AN EMPLOYEE OR VOLUNTEER?

No. A similar issue arose for the evaluation of home health aide skills evaluation and HCFA determined that it was not possible to adequately assess the CNA's competency in this fashion; the skills must be completed in a setting similar to that in which the individual will be practicing.

8. WE HAVE A CONFIRMATION NOTICE PRIOR TO JULY 1, 1996; DO WE STILL NEED TO COMPLETE THE SKILLS CHECKLIST?

The department did not require employment verifications prior to July 1, 1996. If there is a confirmation notice for a CNA or CMA prior to July 1 showing that the individual has worked as a CNA or CMA within the last 24 months, the facility may complete and submit an "Employment Verification" form for the aide. The current database system does not link nor identify those inquiries and confirmation notices as employment verification. This reprogramming is quite costly but may be possible in the future, thus reducing part of this data-collection.

9. HOW LONG DOES IT TAKE TO GET A CNA OR CMA TO BECOME ELIGIBLE AGAIN?

Eligibility is reinstated once the information is received and entered (usually five days).

10. CAN THE SKILLS CHECKLIST BE FAXED TO THE DEPARTMENT?

No. The department must receive an original copy of the skills checklist.

11. CAN A FACILITY THAT HAS HAD A BAN ON NURSE AIDE TRAINING (NATCEP) COMPLETE A SKILLS CHECKLIST?

Yes, a facility that is currently under a ban on nurse aide training can complete a skills checklist for employment verification.

12. WHAT IF THE AIDE DOES NOT SATISFACTORILY COMPLETE THE SKILLS CHECKLIST?

Do not submit a skills checklist where one or more of the skills were not completed satisfactorily. Provide additional training until the aide can perform all skills satisfactorily.